

3-6-08
DAC/X
18**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s):	M. A. Sovik, et al.		
Assignee:	International Business Machines Corporation		
Title:	'ON-LINE DATA COMPRESSION ANALYSIS AND REGULATION'		
Serial No.:	08/866,607	Filed:	May 30, 1997
Examiner:	Young, B.	Unit:	2104

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 3, 2008 **RECEIVED**

MAR 10 2008

**PETITION TO REVIVE APPLICATION FROM UNINTENTIONAL
ABANDONMENT UNDER 37 CFR § 1.137(B)**

OFFICE OF PETITIONS

The Applicant submits this petition to revive the subject application from unintentional abandonment under 37 C.F.R. § 1.137(b). For convenience, the Applicant reproduces § 1.137(b) here:

“(b) Unintentional. If the delay in reply by applicant or patent owner was unintentional, a petition may be filed pursuant to this paragraph to revive an abandoned application, a reexamination proceeding terminated under §§ 1.550(d) or 1.957(b) or (c), or a lapsed patent. A grantable petition pursuant to this paragraph must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.171(f):1252 380.00 DA
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Director may require additional information where there is a question whether the delay was unintentional; and
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.”

Applicant filed a petition April 24, 2007 under 37 CFR 1.181 to withdraw the holding of abandonment of the above identified application. The Applicant provided a

Adjustment date: 06/05/2008 CKHLOK
03/06/2008 ATRINH 00000062 090449 08866607
01 FC:1453 1540.00 CR

03/06/2008 ATRINH 00000062 090449 08866607
01 FC:1453 1540.00 DA

copy of the formal drawings and a post card receipt indicating the formal drawings. The petition was dismissed because the petitioner "failed to prove a request and payment for a two-month extension of time were filed with the drawings". Applicant notes that a copy of a Petition and Fee for Extension of Time und 37 CFR 1.136(a), stamped with acknowledgement of receipt in the Production Control Publishing Division at the USPTO on November 12, 1999, was provided in the petition filed April 24, 2007. Accordingly, the Applicant believes the dismissal of the petition request may have been in error. However, as suggested in the decision on the petition, mailed August 14, 2007, Applicant submits a petition to revive based on unintentional abandonment under 37 CFR 1.137(b).

Applicant includes herewith a reply in the form of a copy of the post card indicating the formal drawings filed and showing the USPTO receipt stamp dated November 12, 1999. A copy of a Petition and Fee for Extension of Time under 37 CFR 1.136(a), stamped with acknowledgement of receipt in the Production Control Publishing Division at the USPTO on November 12, 1999, is also included herewith. Accordingly, it is believed that no additional fees are required, however, in the event that additional fees are required, the Commissioner is hereby authorized to charge payment to **Deposit Account 09-0449**.

The Applicant includes the petition fee set forth in § 1.17(m).

The application became abandoned because the failure to prosecute was an unintentional delay. The entire delay in filing the required reply from the due date until the filing of this petition to revive was unintentional.

No terminal disclaimer is believed to be required with this petition.


Finally, the Applicant includes herewith a copy of a new 'Power of Attorney' and a 'Change of Correspondence Address', with stamped acknowledgement of receipt in the OIPE at the USPTO on March 3, 2008.

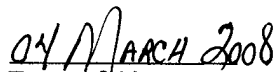
The Applicant requests favorable action on this petition at the earliest convenience of the Office. Please proceed with further examination of this application on the basis of the original papers filed (attached herewith), which have now reached the appropriate area of the PTO.

**CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.10**

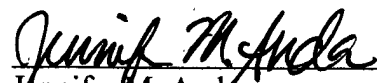
I hereby certify that this correspondence and referenced attachments are being deposited with the United States Postal Service 'Express Mail Post Office to Addressee' service under 37 C.F.R. § 1.10 on the date indicated herewith and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

EXPRESS MAIL NO; EV 643015689.


Halka Gordon


Date of Signature

Respectfully submitted,


Jennifer M. Anda
Patent Agent for Applicants
Reg. No. 58,436
Phone: (520) 799-2485
Facsimile: (520) 799-5551

Best Available Copy



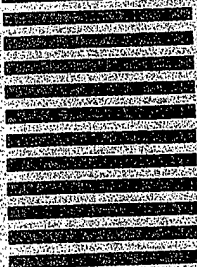
POSTAGE
NECESSARY
IF MAILED
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UNITED STATES



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FIRST-CLASS MAIL PERMIT NO. 10969 SAN DIEGO CA

POSTAGE WILL BE PAID BY THE ADDRESSEE

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4365 EXECUTIVE DR STE 1600
SAN DIEGO CA 92121-9931



The USPTO date stamp hereon will acknowledge receipt of:

~~CHANGE OF ADDRESS~~ FORMAL DRAWINGS

Serial No.: 08/866,607

Filed: May 30, 1997

/ Mailed/Hand delivered:

PRODUCTION CONTROL
PUBLISHING DIVISION

NOV 12 1999

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TAM

File No.:
cmr

TU9-97-004

INTELLECTUAL
PROPERTY
LAW

99 NOV 18 P 7:47

IBM CORPORATION
TUCSON, ARIZONA

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Receipt

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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In Re Application of

Sovik et al.

Serial No. 08/886,607

Filed: May 30, 1997

For: ON-LINE DATA COMPRESSION
ANALYSIS AND REGULATION

Date:

MAR 10 2008

OFFICE OF PETITIONS

IBM Corporation
Intellectual Property Law Dept.
1735 S. Jefferson Davis Highway, Suite 605
Arlington, Virginia 22202
Notice of Allowance: June 14, 1999
Batch No.:

PETITION AND FEE FOR EXTENSION OF TIME (37 CFR.136(a))

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231NOIS/AIO 5NHS780P
TOJINOC NO11300082

Sir:

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NOV 12 1999

RECEIVED
This petition for an extension of time in response to the PTOL-37 mailed on 6/14/99 for a period of 2 months. Please charge Deposit Account No. 09-0467 the sum of \$380.00. If an additional extension of time is required, please consider this a petition therefor. A duplicate of this petition is attached.

Formal Drawings are being filed herewith.

Certificate Under 37 CFR 3.73(b)

International Business Machines Corporation, a corporation of New York, is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the USPTO at Reel 8585, Frame 529, or for which a copy thereof is attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

November 11, 1999

Date

Respectfully submitted,
International Business Machines Corporation

By:

Jeffrey L. Forman
Jeffrey L. Forman
Manager, Information Services
(703) 412-2410

Docket No. TU9-97-004